

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 2416 - HB 2570**

February 23, 2018

**SUMMARY OF BILL:** Authorizes an award of treble damages in private actions for a violation of the *Tennessee Consumer Protection Act of 1977* when the unfair or deceptive act was directed at a veteran.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Pursuant to Tenn. Code Ann. § 47-18-109(a)(3), a court may award three times the actual damages in a private action for a violation of the *Tennessee Consumer Protection Act of 1977*, if the court finds the violation was willful and knowing.
- Passage of this legislation would expand when a court is authorized to issue treble damages to include instances where the court finds that the violation was directed at a veteran.
- Committing an unfair or deceptive practice under the *Tennessee Consumer Protection Act of 1977* is a Class B misdemeanor offense.
- Pursuant to Tenn. Code Ann. § 40-35-111(e)(2), the fine for a Class B misdemeanor shall not exceed \$500.
- There will not be a sufficient number of Class B misdemeanor prosecutions for state or local government to experience any significant increase in revenue or expenditures.
- Based on information provided by the Administrative Office of the Courts, the proposed legislation would not result in a significant impact on the court system.

**IMPACT TO COMMERCE:**

**NOT SIGNIFICANT**

Assumption:

- This legislation is estimated to have no significant impact on commerce or jobs in this state.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/vlh